

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2962 of 1984

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

LH SHARMA

Versus

BN THAKAR

Appearance:

MR JR NANAVATI for Petitioner

None present for the Respondent

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 23/07/96

ORAL JUDGEMENT

1. Heard learned counsel for the parties. The petitioner filed this Sp. Civil Application in this Court in which he has challenged the order under which he was placed under suspension in contemplation of the departmental inquiry. This Court on 3-4-85 stayed the operation of the suspension with certain conditions. This suspension order was not given effect to and remained under stay for all these years. The

departmental proceedings in meanwhile would have come to an end. The counsel for the petitioner is also not in a position to make a statement that ultimately what happened to the departmental proceedings started against the petitioner. Be that as it may, as the order of suspension has been stayed by this Court on 3-4-1985, the interest of justice will be served in case this Special Civil Application is disposed of with the direction that the order impugned may not be given effect to. However, in case the departmental proceeding has been completed, it shall be open to the respondent to pass appropriate order. Rule is made absolute in the aforesaid terms. No order as to costs.
